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05-31-01

09870144-053001

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 017575.0680  
First Inventor Sevick-Muraca et al.  
Title Imaging of Light Scattering Tissues with Fluorescent Contrast Agents  
Express Mail Label No. EL483884271US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Page 51]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 26]
5. Oath and Declaration
  - a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 17 completed)
    - i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☒ Other: Check for \$1,042.00


17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-Part (CIP) of prior application No.:  
Prior application information: Examiner Group/Art Unit:  
For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 18. CORRESPONDENCE ADDRESS

☒ Customer Number of Bar Code Label 23,640 or ☐ Correspondence address below

Name	Claude E. Cooke, Jr.				
Address	One Shell Plaza 910 Louisiana				
City	Houston	State	TX	Zip Code	77002
County	US	Telephone	713-229-1848	Fax	713-229-2848

Name (Print/Type)	Claude E. Cooke, Jr.	Registration No. (Attorney/Agent)	34,142
Signature			Date 5-30-01

HOU03:777256.1

Burden Hour Statement: This form is estimated to take 0.2 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, D.C. 20231. DO NOT SENT FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, D.C. 20231.

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

## Complete if Known

Application Number	New
Filing Date	05/30/01
First Named Inventor	Sevick-Muraca et al.
Examiner Name	Unassigned
Group Art Unit	Unassigned
Attorney Docket No.	017575.0680

**TOTAL AMOUNT OF PAYMENT** \$ 1,042.00

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:  
Deposit Account Number: 02-0383  
Deposit Account Name:  
☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:  
☒ Check ☐ Credit Card ☐ Money Order ☐ Other Order

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
101 710	201 355	Utility filing fee	\$710.00
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	

**SUBTOTAL (1) \$710.00**

### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
34 - 20** =	14 x	\$18.00	= \$252.00
Independent Claims	4 - 3** =	1 x	\$80.00 = \$ 80.00
Multiple Dependent Claims			=

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
103 18	203 9	Claims in excess of 20
102 80	202 40	Independent Claims in excess of 3
104 270	204 135	Multiple dependent claim, if not paid
109 80	209 40	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2) \$1,042.00**

\*\* or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Petitions related to provisional applications	
126 240	126 240	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	


Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) \$**

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Claude E. Cooke, Jr.	Registration No. (Attorney/Agent)	34,142	Telephone	713-229-1848
Signature				Date	05/30/01

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

HOU03:777254.1

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Express Mail Label No.  
EL483884271US



09870144, 053001

03C0

**PATENT**  
017575.0680

Pursuant to 37 C.F.R. § 1.8, I hereby certify that I have information and a reasonable basis for belief that this correspondence will be deposited as first-class mail with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 on August 22, 2001.

Signature

8/22/01  
Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of:

Sevick-Muraca et al.

Application No.: 09/870,144

Filed: May 30, 2001

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Group Art Unit: Unknown

Examiner: Unknown

Title: Imaging of Light Scattering Tissues with Fluorescent Contrast Agents

RESPONSE TO FORMALITIES LETTER

Commissioner for Patents  
Washington, D.C. 20231

Date: August 22, 2001

Dear Sir:

In response to the Formalities Letter mailed 06/22/01, the following required items are submitted herewith.

Substitute drawings are enclosed that have proper height numbers, letters and reference characters.

An abstract is provided on the attached page.

The application is now believed to be in condition for formal consideration.

Respectfully submitted,

By:   
Claude E. Cooke, Jr.  
Registration No. 34,142

Baker Botts L.L.P.  
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IMAGING OF LIGHT SCATTERING TISSUES  
WITH FLUORESCENT CONTRAST AGENTS

This application is a continuation of U.S. application No. 09/367,148, filed November 22, 1999, which was the National Stage of International Application No. PCT/US/98/02354, filed February 6, 1998, which claims the benefit of U.S. Provisional Application No. 60/039,318, filed February 7, 1997.

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Attorney's Docket: 017575.0680

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